



CRM-M-50602-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(235)

CRM-M-50602-2024
Date of Decision : 21.10.2024

Sunil @ Bunt	...	Petitioner
Versus		
State of Haryana	...	Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sanpreet Sandhu, Advocate for the petitioner.
Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

- Through the instant petition, filed under Section 483 of BNSS, 2023, the petitioner prays for grant of regular bail in case FIR No.826 dated 25.08.2024 under Sections 21-B and 29 of the NDPS Act, 1985, registered at Police Station City Yamuna Nagar, District Yamuna Nagar, Haryana.
- On asking for the relief (supra), learned counsel for the petitioner submits that the recovery effected in the FIR (supra), is 6.19 grams of heroin, which is slightly more than the small quantity, as prescribed under the statute, as 5 grams is prescribed as small quantity. He further submitted that the recovery is effected from the co-accused. Finally, he submits that the petitioner is involved in two other cases, out of which, one case is registered under the NDPS Act, in which he has already been granted the relief of regular bail. Learned counsel further submits that the petitioner has suffered incarceration of 01 month and 20 days, as on today.
- Learned State counsel on instructions imparted to him from the investigating officer concerned, has opposed the relief of regular bail to the

petitioner. He has placed on record the custody certificate dated 20.10.2024, qua the petitioner, today in the Court. The same is taken on the record. The custody certificate reflects that the petitioner has suffered incarceration of 01 month and 20 days, as on today. Learned State counsel on instructions, further submits that the investigation is still going on in the present case, and the final report is yet to be filed.

4. This Court has heard the rival submission of the parties concerned, and has gone through the record as well.
5. Considering the fact that the recovery in the instant case is effected from the co-accused, and the petitioner has already suffered incarceration of 01 month and 20 days, as on today, investigation in the instant matter is in mid ways, and final report is yet to be filed, this Court deems it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the instant petition is **allowed**.
6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/trial Court/Duty Magistrate, concerned.
7. In case, the petitioner is found to be indulged in the commission of such like offence, the State is at liberty to file an appropriate application for cancellation of the bail
8. However, anything observed hereinabove shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)

JUDGE

October 21, 2024

Manpreet